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affirmation

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Discrimination on the basis of pregnancy

In a recent decision, Peter A. Cumming, sitting as a board of inquiry, addressed himself to the question: Is dismissal on the ground of pregnancy discrimination on the basis of sex?

Prof. Cumming, in his extensive treatment of the case, made the following observations:

When the act of discrimination is only against part of the group, the courts and boards have had no difficulty finding that it is discrimination on the basis of a characteristic of the group as a whole. Therefore, although not all women get pregnant, discrimination against pregnant women is discrimination on the basis of a female characteristic. Until *Drybones*, any Indian who chose to get drunk off a reserve would have been penalized for doing so. The fact that only some Indians did so does not make it any less discrimination against Indians as a group. Similarly, any Jew who chooses to observe the Jewish Sabbath will suffer discrimination if he or she is prevented from doing so. The fact that not all Jews choose to observe their Sabbath does not make it any less discrimination against Jews as a class. Any woman who chooses to become pregnant may be discriminated against in employment for doing so. The fact that not all women choose to become pregnant does not make it any less discrimination against women. Any person acting within any given sphere of activity, covered by the Code, such as employment, has the right at law not to be discriminated against on a prohibited ground.



The purpose of the Code is to prevent the assessment of persons according to stereotypical assumptions in respect of the class to which they belong. Each person should be assessed according to his or her individual capabilities. Pregnancy does not affect all women the same way. Some women are able to work right up until they go into labour, while other women are bed-ridden for the full nine months. To treat all pregnant women alike is discriminatory. The purpose of the Code is to curtail such unfair treatment of persons resulting from stereotypical assumptions about the class as a whole.

Employers are generally expected to provide reasonable accommodation for their employees' religious practices. They are permitted a defence of undue hardship if they are unable to do so. It would not seem particularly difficult for most employers to accommodate their employees' pregnancies, especially as the accommodation need only be temporary. Where accommodation of an employee's pregnancy is truly unreasonable from the employer's standpoint, the defence of undue hardship is available.

60 members of the Filipino community, whose representatives made presentations on issues and concerns relating to education, employment and housing. As the first in a series, this consultation allowed the division to develop the expertise to expand the scope and scale of these forums. Furthermore, a commitment was made by the Race Relations Division to assist the Filipino community to hold a provincial conference later in the year.

The second consultation took place with the Chinese community at the Downtown Holiday Inn. Approximately 200 members of the Chinese community representing 30 organizations met with the race relations commissioners, the chairman of the Ontario Human Rights Commission, Canon Borden Purcell and the Attorney General, the Honourable Roy McMurtry, who participated in the

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Welcome new commissioners

Two new commissioners were appointed to the Ontario Human Rights Commission for three-year terms, effective February 19, 1984.

Louis Alexopoulos of Toronto is a barrister and solicitor and a former financial analyst with Procter and Gamble Co. He is director and treasurer of the Canadian Paparazzi Association — St. Nicholas, and was a founding member of the Hellenic-Canadian Federation of Ontario.

Ms. S. Aileen Anderson of Toronto is a real estate agent, and has served five consecutive terms as an elected trustee with the Etobicoke Board of Education. She was elected by the board to be its representative on the Metropolitan Toronto School Board. Ms. Anderson was also a member of the advisory committee to the Minister of Education on general legislative grants.

Lie detectors

We take note of the passage of Bill 68, which was given royal assent at the end of last year. The new law amends the *Employment Standards Act* and states:

39b. — (1) An employee has a right not to take or be asked or required to take or submit to a lie detector test.

(2) No person shall require, request, enable or influence, directly or indirectly, an employee to take or submit to a lie detector test.

(3) No person shall communicate or disclose to an employer that an employee has taken a lie detector test, or communicate or disclose to an employer the results of a lie detector test.

39c. Where an employer contravenes a provision of this Part, an employment standards officer may order what action, if any, the employer shall take or what the employer shall refrain from doing in order to constitute compliance with this Part and may make an order to reinstate in employment or to hire the employee concerned, with or without compensation, or to compensate the employee in lieu of reinstatement or hiring for loss of earnings or other employment benefits in an amount not exceeding \$4,000 that may be assessed by the employment standards officer against the employer.

39d. Nothing of this Part shall apply so as to prevent a person from consenting to take and taking a lie detector test administered on behalf of a police force in Ontario or by a member of a police force in Ontario in the course of the investigation of an offence.

Race Relations Division hosts consultations

by Khim Tan

In 1983 the Race Relations Division of the Ontario Human Rights Commission launched a series of consultations with various minority communities in Metro Toronto. This initiative by the division had three objectives:

- to identify community needs and concerns in the area of race relations;
- to bring about a closer working relationship between the Race Relations Division and the minority communities;
- to enable minority communities to be aware of the mandate and activities of the Race Relations Division.

These consultations are designed to facilitate a metro-wide intra- and inter-community network to make possible effective responses to issues and problems affecting all minority racial and ethnic groups. The consultations can be seen as a vehicle to promote the establishment of such a network and to increase the minority communities' awareness of current issues and challenges.

The first consultation was held at the Parkdale Public Library. Race Relations Commissioner Dr. Bhausaheb Ubale, Commissioner Bev Salmon and staff of the Race Relations Division met with approximately

RRD hosts consultations

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consultation in his capacity as chairman of the Cabinet Committee on Race Relations. Presentations were made by key organizations on concerns relating to education, employment, social services and the media.

For the third consultation, the division, the chairman of the Ontario Human Rights Commission and the Attorney General met with approximately 250 members of the Korean community representing all the major groups and organizations in that community.

A similar consultation took place between the division and close to 260 representatives of the Pakistani community. The Attorney General and race relations commissioners reiterated the Ontario Government's policy and commitment to race relations.

In the late fall, the Race Relations Division, with financial assistance from the Ministry of Citizenship and Culture, sponsored the first provincial Filipino Conference at the Downtown Holiday Inn. In addition to the chairman of the Cabinet Committee on Race Relations, the Honourable Roy McMurtry, the chairman of the Ontario Human Rights Commission

and several cabinet ministers were present at the conference, which attracted some 250 representatives of Filipino communities across Ontario. This was the first time that such an event had ever taken place among members of this sizeable community. The conference was highly successful and facilitated the community development process in the Filipino community.

These initiatives by the Race Relations Division are notable for creating opportunities for dialogue with communities that hitherto had few formal links with the commission. As a result of the consultations and the provincial conference, the division established contacts and working relationships with key organizations within those communities that, together, comprise a significant component of minority communities in this province. As a follow-up, the division will be forwarding the reports and recommendations collated from the consultations to the Cabinet Committee on Race Relations for its consideration. The success of the consultations in 1983 will certainly ensure that future consultations are given a high priority in the division's plans for the coming years.

Khim Tan is special assistant to the Race Relations Commissioner.

Successes in the Unit for the Handicapped

Second of two instalments
by Barbara Justason

The unit is making major strides in effecting changes to traditional respondent policies and practices when assessing applicants for employment, services, facilities, accommodation and contracts. A complainant was recently denied car insurance because he has cerebral palsy. No investigation was made by the respondent to assess the complainant on his individual merits. According to the respondent, cerebral palsy represents a physical disability affecting the operation of a vehicle. For this reason, the respondent believed they were allowed to decline automobile insurance to a handicapped person where reasonable and bona fide grounds exist as stated under section 21 of the *Human Rights Code, 1981*.

The complainant had successfully passed a driver's course, had five years' accident-free driving experience and had received insurance from other companies at no additional charge. The only modification made to his car to facilitate his handicap is a knob on his steering wheel. When apprised of these facts, the respondent sent a letter of apology to the complainant and offered to accept his application for car insurance at their standard premiums. The respondent also agreed to change their policy concerning the assessment of applicants with a handicap, namely, that a disability is to be underwritten on an individualized assessment of risk basis, rather than on group characteristics.

Central to the unit's approach to human rights is the principle of 'dignity of risk'. For this principle to operate on behalf of those with handicaps, three conditions must be met: (a) that the handicapped person knows the risk; (b) that the handicapped person accepts it; and (c) that the handicapped person does not put anyone else in danger. The following case represents a good illustration of how the principle of dignity of risk operates in effecting successful settlements.

A quadriplegic, presently residing in hospital, applied to one of the Ontario Housing Authorities for rent-geared-to-income housing. The complainant received a letter of refusal from the housing manager explaining that there was no accommodation with suitable facilities to meet the complainant's needs. According to the respondent, the physician's statement attached to the home visit report stated that the

complainant requires housing designed for quadriplegics. The housing authority where the complainant wishes to reside offers no such accommodation. To qualify for subsidized accommodation, the Ontario Housing Authority insists that an applicant be able to cope independently, and, in its view, the complainant did not demonstrate his ability to do so.

One of the major issues surrounding the case involved the definition of 'independent living'. Does the complainant's dependency on a part-time assistant for such basic needs as eating, dressing, toiletry and getting in and out of bed, constitute 'independent living'? The physician attending the complainant in hospital believes that it does.

In an effort to resolve the complaint to the satisfaction of all parties, the respondent agreed to accept the complainant for a rent-supplementary unit, subject to an occupational therapist's assessment indicating his ability to live independently with the aid of a part-time attendant without representing too great a risk to himself or to others, and confirmation of an order-in-council for part-time attendant care. Application for an order-in-council has already been made by the complainant, who is currently being assessed by an occupational therapist.

These are but a few of the many cases for which the Unit for the Handicapped is proud to administer the commission's legislation protecting persons with physical and mental handicaps from discrimination.

Barbara Justason is a human rights officer with the Unit for the Handicapped.

What colour were the others?

The Port Hope's *Evening Guide* printed the following letter to the editor:

'Upon reading the article, "A year of news making in the Port Hope area" an observation comes to mind.

"The reporter seems to have made a boo boo; this pertains to the "Robberies Unsolved" section. If we amateur detectives wish to be of help in this area we would require an equal number of clues in each case.

The descriptions were as follows:

- A lone man;
- Two black men armed with a gun;
- A man yielding a gun;
- A masked man;
- Two men.

In only one case do we have a colour description. What colour were the others; bronze, yellow, red, brown, white?

(signed) Ainslie Surette'

From the Affirmation mailbox

The Editor:

As a community organization dedicated to the promotion of harmonious race relations and better civil rights for minorities in Canada, the Centre for Research-Action On Race Relations (Quebec) would like to request that it be put on your mailing list to receive the quarterly issues of *Affirmation*.

Working in the new challenging and broad domain of race relations and

civil rights, we need to be in regular contact with organizations dealing with these constantly evolving issues. Reflecting the spirit of the province of Ontario, *Affirmation* is definitely the avant garde news bulletin on human rights which no individual or organization dedicated to this noble, but difficult, cause can do without.

Yours sincerely,
Fo Niemi, Director



1983 Imasco Scholarship winners

Imasco Scholarships in economic geography, business administration, sociology, civil engineering, accounting, and computer science have been awarded to six disabled students. The students, five of whom are quadriplegics and the other, a victim of juvenile rheumatoid arthritis, will be studying in universities broadly distributed across the country: Memorial University in Newfoundland, Moncton University in New Brunswick, Western and York Universities in Ontario and the Universities of Saskatchewan and Quebec.

In announcing the award list, Imasco's chairman and chief executive officer, Paul Paré, said: 'We are very pleased with the excellent response obtained from disabled students for the past two years, and we are also very proud of the high level of academic performance achieved by our scholarship recipients, who have all maintained a B-average or better. One achieved a straight A-average and made the Dean's list.'

The scholarship fund is administered by the Association of Universities and Colleges of Canada, who appoint a selection committee to consider academic standing, motivation, maturity and the extent of a particular disability in arriving at a decision to award a scholarship from the fund.

Applications for 1984 should be directed to Imasco, 4 Westmount Square, Montreal H3Z 2S8.

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Editorial

Disposable

Discrimination is often applied to racial prejudice. The term means to convey certain standards and judgments that pervade large sectors of the community and that express themselves in attitudes and actions of various kinds. Its very pervasiveness often makes discrimination difficult to prove in an individual case, although it does indubitably exist.

Discrimination is not, of course, confined to racial prejudice, as is demonstrated by men's attitudes towards women and people's regard of the disabled and the aged.

The aged are a case in point. We live in a society in which everything is disposable and, if not fairly new, considered obsolete. This not only applies to the things we possess, but

it affects our relationships with people, which no longer enjoy the stability they once did. Ultimately, we ourselves become the victims of obsolescence. The *Human Rights Code* therefore sets out to protect us against this type of discrimination. But, as in all other areas of prejudice, the Code battles against social values and deeply ingrained practices that pose barriers to equality of opportunity. Under the Code, 'age' is defined as 18 and over in all areas except employment, where it is defined as 18 to 65. Our society generally considers an older worker to be less useful than a younger one, and many employers make decisions about hiring and dismissal without regard for individual merit and ability.

That is why human rights will always need a double track: enforcement and education. We cannot do without either.



Jack Rabbit Johanssen, 106-year-old father of cross-country skiing in Canada, greets skiers at the finish line on the Rideau Canal, Ottawa, in 1982.

Two apologies

The following letters represent the sentiments of two respondents, who wrote them as part of the settlements that were negotiated through the human rights officer.

Dear Ms. G:
As a result of your filing a human rights complaint, I have reflected more fully on my conduct during my interview with you for the night secretary position at the K.S. office. I now realize that some of the remarks my secretary and I made jokingly in your presence at the conclusion of the typing test were not polite and I would like to apologize for them at this time. In particular, my coarse language and the joking remark about

not being a Christian were inappropriate.

Yours very truly,
A. C.

Dear Mr. S:
The human rights officer was in to see me last week and I am delighted to hear that our offer was acceptable to you.

I stress again that I apologize for the error that was made initially and also for any heated remarks that I might have made, when we all met in my office.

Please find enclosed a cheque in the amount of \$500.00 in full settlement of your claim.

Yours truly,
B.D.

Chairman's corner

Achievements in the field of human rights depend upon a skillful blending of conciliation and public education. The Ontario Human Rights Commission, in fulfilling its mandate, works with complainant and respondent groups to achieve creative, and mutually satisfying, resolutions that incorporate these two elements.

The following are recent examples.

Two female complainants alleged that they were denied employment with a large industrial manufacturer on the ground of sex discrimination.

Efforts at settlement were unsuccessful, and the commission, having reviewed the evidence, requested that a board of inquiry be appointed.

However, the complainants and the respondent reached an acceptable settlement prior to the last scheduled day of the hearing.

The two women who filed the complaints received a financial settlement from the company. More important, however, the respondent company has decided to undertake a special program of initiatives aimed at increasing the number of women in the company's work force. These will include a new equal opportunity advertising and recruiting policy and special liaison with the affirmative action co-ordinator at the local community college.

Additionally, the company, in conjunction with the resources of the Ontario Human Rights Commission and the Ontario Women's Directorate, will institute an awareness program for their supervisory personnel this year. The president of the company indicated that he hopes women in the community will now feel welcome to apply to the company in order that a pool of qualified female applicants be developed.

* * * *

Les langues autochtones du Canada

par Michael K. Foster

L'auteur fait une étude approfondie du devenir possible des 53 langues autochtones encore parlées au Canada. Il nous en explique la richesse et les traditions, esquisse leur répartition géographique, en évalue le nombre de locuteurs et conclut en disant que pour la majorité d'entre elles, l'avenir est incertain. (Extrait)

Dans les rapports officiels, et bien souvent dans la rue, on relève l'expression: "langues indiennes et inuites (ou esquimaudes)". Cette dichotomie est doublement trompeuse, car elle implique qu'il n'y a que deux principaux groupes linguistiques autochtones au Canada constituant des entités comparables, comme le sont les langues slaves et romanes.

Pour autant que l'on puisse le déterminer, il reste 53 langues autochtones distinctes parlées au Canada; on en a probablement déjà compté bien davantage.

Bien que des statistiques austères ne puissent tout nous dire des perspectives de survie des langues autochtones canadiennes, le tableau



Over the last two years, the commission has augmented and placed special emphasis upon its awareness and public education programs within the school system.

With a view to assisting the commission in its goal of creating a climate of understanding and mutual respect for the dignity, worth and rights of each individual, Toronto-based Theatre Direct Canada mounted a spring tour within the schools throughout the province of 'New Canadian Kid', an innovative, highly sensitive and emotionally involving play concerning the difficulties of being not only the new but also the 'different' kid-on-the-block.

Under the capable artistic directorship of Jerome Ackhurst, the four actors in the cast struck a responsive chord with the combined audiences of over 50,000 elementary school children and teachers, whose praise of, and thoughtful comments about, the play's message were consistently positive.

It is our hope that ventures similar to the two creative initiatives mentioned above will help to ensure that every man and woman — new Canadian no less than native born — will feel that each is a part of the whole community, and that each has a rich contribution to make to the development and well-being of our province and nation.

n'est pas dans l'ensemble brillant. Cette survie ne semble assurée que pour trois de cinquante-trois langues: le cri, l'ojibway et l'inuktitut. Cela réjouira ceux qui prônent l'assimilation linguistique et culturelle, car ce sera pour eux la marque du triomphe du système éducatif uniformisateur que l'on a imposé aux Autochtones pendant un siècle. On ne le sait peut-être pas très bien en dehors des collectivités autochtones, mais, il y a une génération à peine, les enfants fréquentant les écoles des réserves ou des pensionnats se faisaient verbeusement réprimander (lorsqu'ils n'étaient pas battus ce qui arrivait souvent) quant ils employaient leur langue maternelle dans les limites de l'école. S'inclinant cependant devant les très fortes pres-

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Mary Lou Dingle-a profile

by Tony Silberman

Mary Lou Dingle, as a relatively new addition to our commission, has provided a unique perspective to human rights policies and issues.

Currently a practising lawyer in Hamilton, Mary Lou was born in Toronto and raised in Brampton and Belfountain (near Caledon). She attended McMaster University, studied law at Osgoode Hall, and was called to the Bar cum laude in 1964. In 1982 she was honoured with a Queen's Counsel designation.

Pursuing a career in law at a time when few women were entering this traditionally male domain afforded no obstacles to Ms. Dingle.

'I was always treated fairly and as an equal by my family and peers,' she says, 'so there was no delineation between what I was allowed or not allowed to do.' Ms. Dingle believes that her father, also a lawyer, served as a positive role model for her.

Involved extensively in the Hamilton community, this personable commissioner has been a charter member of the Elizabeth Fry Society, a member of the Equal Rights Review and Co-ordinating Committee of McMaster University, president of the Community Information Service and a member of numerous other social service and professional agencies.

'Despite this long-standing involvement in social and equal rights issues, the extent and variety of cases that come to the attention of the commission were eye-openers to me,' says Mary Lou, whose particular analytical skills, legal training and inquisitive nature lend a different dimension to commission meetings.

Two cases of sexual harassment

Two boards of inquiry appointed under the *Human Rights Code* each recently heard a complaint of sexual harassment, and each decided in the complainant's favour.

Ms. Gr., a 17-year-old high school student, alleged that she had been hired for the summer as a clerk by Mr. P. On her third day at the company, she claimed that her employer made verbal and physical advances towards her. The advances continued despite her protests; on the following day she resigned from the position and filed a complaint with the commission. During the hearings, a former employee testified that she had also been subjected to sexual harassment by Mr. P. The board found this information to be relevant to the allegations, and declared it to be suggestive of a pattern of behaviour on the respondent's part. The board chairman noted that the complainant and this witness had never met, and had never discussed the matter.

The board found that the sexual advances had occurred, and had caused the termination of the complainant's employment. The respondent was ordered to compensate Ms. Gr. in the amount of \$375 in



'I find of particular concern the frequency with which those who are less strong, or who are in some way disadvantaged, are put upon and denied their basic human dignity. It makes one realize how rarefied one's environment has been.'

Commissioner Dingle manages successfully to balance her volunteer and professional commitments so that she and her husband, Al, a biology professor at McMaster, can devote evenings and weekends to their family of two young sons.

'I've been most fortunate in being supported and strengthened by my very giving and co-operative family,' she beams.

Over the last year and a half Ms. Dingle has achieved a greater awareness of the difficulties people encounter, and a greater appreciation of 'concepts that I had previously not considered in depth.'

'I am a firm believer in the principle of life-long learning,' muses Mary Lou, 'and, given what I've experienced and learned so far, I anticipate a very long life indeed!'

Tony Silberman is Executive Assistant, Public Affairs, Ontario Human Rights Commission.

compensation for lost earnings and \$750 for insult to her dignity. He was also ordered to write her a letter of apology.

Ms. Gi. alleged that her employer sexually harassed her during her first day on the job as a waitress. She claimed that when she refused his advances, he dismissed her.

Five former employees testified at the hearing that they had been sexually harassed by the respondent and had suffered negative employment consequences for refusing his advances. Two women who had been hired after the complainant, told the board that they had not been harassed by Mr. C., and the board concluded that this was because their employment came after the human rights complaint and the commission's investigation.

'The realization that the complaint was being investigated and would be pursued to a conclusion caused Mr. C. to reform his ways with his employees.'

Having found that discrimination had occurred, the board ordered the respondent to compensate the complainant in the amount of \$750 for mental anguish and \$250 for lost wages. The corporate respondent was ordered to do whatever is necessary to ensure that Mr. C. stops sexually harassing female employees.

Les langues autochtones du Canada

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sions exercées par la Fraternité des Indiens du Canada à partir du début des années 70, le gouvernement fédéral a soutenu de plus en plus ouvertement l'utilisation des langues autochtones, allant jusqu'à prendre le contre-pied de sa politique antérieure. Ses interventions en faveur des programmes de réhabilitation de ces langues se font essentiellement par le canal du ministère des Affaires indiennes et du Nord.

On continue à s'interroger sur la mesure dans laquelle il faudrait que les programmes d'études relevant des gouvernements provinciaux soient enseignés en langues autochtones dans les réserves, que l'on parle arithmétique, histoire générale, études sociales ou autres. Les tenants de l'extension de l'enseignement en langues autochtones veulent démontrer qu'elles ont les qualités voulues pour assurer la transmission de savoirs que les préjugés ne leur ont pas permis d'aborder jusqu'à présent. Les partisans de la limitation de l'enseignement en langue autochtone aux sujets rattachés à leurs traditions propres invoquent l'étroite relation qui existe entre la langue et la culture, la première étant pour eux avant tout le véhicule de la seconde. À leur avis, l'introduction de sujets non traditionnels menacerait cette association et saperait encore davantage l'identité culturelle des Autochtones.

Curieusement, le problème inverse se manifeste dans les collectivités rassemblant des portions 'progressistes' (chrétiennes bien souvent) et

'traditionnelles'. Les progressistes s'opposent quelquefois à l'inclusion de sujets traditionnels dans des programmes linguistiques qu'ils appuient chaleureusement par ailleurs, car cela pourrait entrer en conflit avec leurs valeurs chrétiennes.

Reste enfin, tout aussi profond que subtil, le problème des méthodes à utiliser pour enseigner les langues et la culture autochtones. Indiens et Inuits n'ont rien qui corresponde à nos écoles. Traditionnellement, leur enseignement est oral et se fait par l'exemple. Pour beaucoup de leurs enfants, les quatre murs d'une classe et la présence d'un 'maitre' constituent un univers concentrationnaire étrange et terrifiant. Un système scolaire qui exige d'un enfant qu'il se lève pour répondre viole toutes les règles de l'enseignement traditionnel autochtone. Est-il possible d'adapter suffisamment les programmes des réserves aux méthodes traditionnelles?

Le Canada d'aujourd'hui est en matière de langues autochtones un kaléidoscope extraordinaire offrant des défis fascinants.

Espérons qu'avec quelque encouragement et l'appui de l'État, Indiens et Inuits réussiront à garantir à leurs langues la place qu'elles méritent dans un pays à la fois multilingue et multiculturel.

Cet article est tiré (en extrait) de *Langue et Société*, avec la permission du Bureau du Commissaire aux langues officielles.

M. Foster est un ethnologue spécialiste des Iroquois et appartient au Service canadien d'ethnologie du Musée National de l'homme à Ottawa.

Trying on a dress



Miller Services

The complainant, a black female, went into a clothing boutique and asked to try on an expensive dress. The store owner told her she would have to pay \$150 before being allowed to try it on. The complainant protested and asked if everyone had to pay before trying on a dress. The owner allegedly replied that she only did this when dealing with the complainant's 'type'. She then explained that on a previous occasion a black woman, who had put oil on her body, had tried on a dress and had damaged it. The complainant became upset at the insinuation that she would damage the dress. When the complainant started to cry the respondent owner called security and had her removed from the store.

The respondent admitted to asking the complainant to pay \$150 before trying on the dress because of a previous problem she had had with a black woman. The respondent denied discrimination, but was unable to say that the customer with oil on her body was not black. The respondent also

admitted that on the day of the incident, other customers had been allowed to try on dresses without first paying money.

During a fact finding conference the respondent tried to evade admitting that she had treated the complainant in that fashion because of her colour. However, she was unable to provide any satisfactory explanation of what led her to treat the complainant that way if it was not her colour.

The respondent agreed to provide the complainant with a letter of apology; pay the complainant's \$14-parking ticket received the day the incident occurred; allow the complainant to choose a dress (\$150 value) from her boutique and to prepare a letter of assurance for the commission.

This excellent settlement was specially tailored to remedy the hurt felt by the complainant and to make the respondent realize that discrimination results in insult to an individual's dignity.